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|---|---------------|----------------------------|
| PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL FILING (37 CFR 1.137(f)) | | Docket Number: 5580P001 |
| First named inventor: James Y. Liu | | |
| Application No.: | 09/832,254 | Art Unit: 2154 |
| Filed: | April 9, 2001 | Examiner: Unassigned |
| Title: METHOD AND SYSTEM FOR SCANNING ELECTRONIC MAIL TO DETECT AND ELIMINATE COMPUTER VIRUSES USING A GROUP OF EMAIL-SCANNING SERVERS AND A RECIPIENT'S EMAIL GATEWAY | | |
| Mail Stop Petition Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450 | | |
| NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282. | | |
| The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii). | | |
| PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION UNDER 37 CFR 1.137(b) | | |
| 1. Petition fee | | |
| <input checked="" type="checkbox"/> Small entity-fee \$650 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. | | |
| <input type="checkbox"/> Other than small entity – fee \$ _____ (37 CFR 1.17(m)). | | |
| <input checked="" type="checkbox"/> The Director is hereby authorized to charge the indicated fees and credit any overpayments to Deposit Account No. 02-2666. | | |
| <input checked="" type="checkbox"/> Fee is enclosed. | | |
| RECEIVED JUN 2 5 2003 OFFICE OF PETITIONS | | |
| 2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c)) | | |
| Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after filing. The filing date of the subsequently-filed foreign or international application is <u>April 12, 2001</u> . | | |
| 06/25/2003 AWONDAF1 00000017 09832254 | | |
| 01 FC:2153 650.00 NP | | |

(Page 1 of 2)

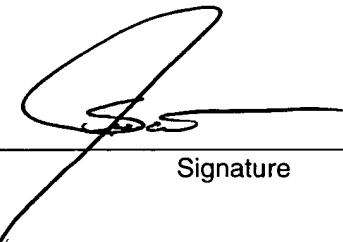
SEND COMPLETED FORM TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Based on Form PTO/SB/64a (05-03) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 05/13/03

STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

6/20/03
Date



Signature

Telephone
Number: (408) 720-8300

James H. Salter
Typed or Printed Name

Customer No. 008791
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
Telephone Number: (408) 720-8300

35,668

Registration No.

Enclosures: Fee Payment

Additional Sheets containing statements establishing unintentional delay
 Other: Submission of Petition for Revival, Return Postcard, Fee Transmittal (in duplicate)

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents P. O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

6/20/03
Date



Signature

Barbara Skliba
Typed or printed name of person signing certificate



JUN 24 2003

SUBMISSION OF PETITION FOR REVIVAL

Docket Number:
5580P001

First named inventor: James Y. Liu

Application No.: 09/832,254

Art Unit: 2154

Filed: April 9, 2001

Examiner: Unassigned

Title: METHOD AND SYSTEM FOR SCANNING ELECTRONIC MAIL TO DETECT AND ELIMINATE COMPUTER VIRUSES USING A GROUP OF EMAIL-SCANNING SERVERS AND A RECIPIENT'S EMAIL GATEWAY

Mail Stop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Applicant(s) believe(s) that the above-identified application is being regarded by the United States Patent and Trademark Office (USPTO) as abandoned. Accordingly, applicant(s) submit(s) herewith a Petition for Revival of An Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing in accordance with 37 CFR § 1.137(f). The Petition fee required under 37 CFR § 1.17(m) is submitted herewith. An extra copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Applicant(s) respectfully submit(s) that the USPTO has misinterpreted the requirements of 35 U.S.C. § 122, causing the needless filing of the subject Petition, and respectfully requests a refund under 37 CFR § 1.26 for the fees under 37 CFR § 1.17(m) mistakenly required to be paid. The refund can be credited to Deposit Account No. 02-2666. If a refund is not forthcoming, applicant(s) reserve(s) the right to request a refund for the Petition fee based on a subsequent finding by the USPTO or a court of proper jurisdiction that the requirements of 35 U.S.C. § 122 have been misinterpreted.

6/20/03

Date

Signature

Telephone
Number: (408) 720-8300

Customer No. 008791
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
Telephone Number: (408) 720-8300

James H. Salter
Typed or Printed Name

35,668

Registration No.

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JUN 25 2003

OFFICE OF PETITIONS

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents P. O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

6/20/03

Date

Bubaz SK162



FEE TRANSMITTAL FOR FY 2003

TOTAL AMOUNT OF PAYMENT (\$) 650.00

Complete if Known:

Complete if Known
Application No. 09/832,254
Filing Date April 9, 2001
First Named Inventor James Y. Liu
Group Art Unit 2154
Examiner Name Unassigned
Attorney Docket No. 5580P001

METHOD OF PAYMENT (check one)

1. [] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number _____

Deposit Account Name _____

[X] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, and charge any deficiencies to Deposit Account Number 02-2666, and credit any over payments to Deposit Account Number 02-2666

[] Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.131(b)

2. X _____ Payment Enclosed
 X _____ Check
 _____ Money Order
 _____ Other

3. [X] Applicant claims small entity.
 See CFR 1.27

FEE CALCULATION (fees effective 11/29/00)

1. FILING FEE

2. CLAIMS

| 2. CLAIMS | <u>Extra</u> | <u>Fee from below</u> | <u>Fee Paid</u> |
|---------------------------------|--------------|---------------------------|-----------------|
| Total Claims _____ | - 20 = _____ | X _____ | = _____ |
| Independent Claims _____ | - 3 = _____ | X _____ | = _____ |
| Multiple Dependent Claims _____ | | X _____ | = _____ |

| <u>Large Entity</u> | <u>Small Entity</u> | | |
|---------------------|---------------------|---|-----------------|
| Fee | Fee | Fee | Fee |
| Code | (\$) | Code | (\$) |
| 1202 | 18 | 2202 | 9 |
| 1201 | 84 | 2201 | 42 |
| 1203 | 280 | 2203 | 140 |
| 1204 | 84 | 2204 | 42 |
| 1205 | 18 | 2205 | 9 |
| | | <u>Fee Description</u> | |
| | | Claims in excess of twenty | |
| | | Independent claims in excess of 3 | |
| | | Multiple dependent claim | |
| | | Reissue independent claims over original patent | |
| | | Reissue claims in excess of 20 and over original patent | |
| | | | <u>Fee Paid</u> |
| | | | _____ |
| | | | _____ |
| | | | _____ |
| | | | _____ |
| | | | _____ |

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FEE CALCULATION (continued)

3. ADDITIONAL FEES

| <u>Large Entity</u> | <u>Small Entity</u> | <u>Fee Description</u> | <u>Fee Paid</u> |
|---------------------|---------------------|------------------------|-----------------|
| Fee | Fee | | |
| Code | (\$) | Code | (\$) |
| 1051 | 130 | 2051 | 65 |
| 1052 | 50 | 2052 | 25 |
| | | | |
| 1053 | 130 | 1053 | 130 |
| 1812 | 2,520 | 1812 | 2,520 |
| 1813 | 8,800 | 1813 | 8,800 |
| 1251 | 110 | 2251 | 55 |
| 1252 | 410 | 2252 | 205 |
| 1253 | 930 | 2253 | 465 |
| 1254 | 1,450 | 2254 | 725 |
| 1255 | 1,970 | 2255 | 985 |
| 1401 | 320 | 2401 | 160 |
| 1402 | 320 | 2402 | 160 |
| 1403 | 280 | 2403 | 140 |
| 1451 | 1,510 | 1451 | 1,510 |
| 1452 | 110 | 2452 | 55 |
| 1453 | 1,300 | 2453 | 650 |
| 1501 | 1,300 | 2501 | 650 |
| 1502 | 470 | 2502 | 235 |
| 1503 | 630 | 2503 | 315 |
| 1460 | 130 | 1460 | 130 |
| 1806 | 180 | 1806 | 180 |
| 8021 | 40 | 8021 | 40 |
| | | | |
| 1809 | 750 | 2809 | 375 |
| 1814 | 110 | 2814 | 55 |
| 1810 | 750 | 2810 | 375 |
| 1801 | 750 | 2801 | 375 |
| 1802 | 900 | 1802 | 900 |
| 1504 | 300 | 1504 | 300 |
| | | | |
| 1505 | 300 | 1505 | 300 |
| 1803 | 130 | 1803 | 130 |
| 1808 | 130 | 1808 | 130 |
| 1454 | 1,300 | 1454 | 1,300 |
| | | | |
| Other: | | | |
| Other: | | | |

***Reduced by Basic Filing Fee Paid**

SUBTOTAL (3) \$ 650.00

SUBMITTED BY:

Typed or Printed Name: James H. Salter

Signature JS

Date 6/20/03

Reg. Number 55,668

Customer No. 008791

(complete if applicable)

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 20, 2003.

Barbara Skliba
Name of Person Mailing Correspondence

Barbara Skliba

6/20/03

Date

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JUN 25 2003

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